

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
ALABAMA, NORTHERN DIVISION

Travone Williams v. Tony D. Peterson and Sgt. Thomas

Williams v. Peterson · No. 2:25-CV-813-WKW · Decided January 21, 2026

SUMMARY

The United States District Court for the Middle District of Alabama ordered pro se prisoner Travone Williams to show cause why his 42 U.S.C. § 1983 action should not be dismissed without prejudice for failure to pay a \$10.00 initial partial filing fee. The court cited Eleventh Circuit precedent requiring reasonable steps to determine whether a prisoner attempted to comply with such an order before dismissal. Williams was given until February 11, 2026, to respond, request an extension, or arrange payment from future account funds.

CASE DETAILS

COURT	United States District Court for the Middle District of Alabama, Northern Division
WRITING FOR THE COURT	W. Keith Watkins
JURISDICTION	United States District Court for the Middle District of Alabama, Northern Division
DECIDED	January 21, 2026
DOCKET	2:25-CV-813-WKW
DISPOSITION	other
PROCEDURAL POSTURE	A pro se prisoner brought a 42 U.S.C. § 1983 action and was granted leave to proceed in forma pauperis. After the plaintiff failed to pay the court-ordered initial partial filing fee, the district court issued a show-cause order requiring him to explain why the action should not be dismissed without prejudice.
PRECEDENTIAL VALUE	Unknown

TOPICS

- prisoners rights
- section 1983
- civil rights
- civil procedure

PRACTICE AREAS

- civil procedure
- civil rights
- prisoner litigation

QUESTIONS PRESENTED

1. Whether the district court could require the plaintiff to show cause before dismissing the action for failure to pay a court-ordered initial partial filing fee.
2. Whether a reasonable opportunity to respond to a show-cause order satisfies the Eleventh Circuit's requirement that the district court take reasonable steps to determine whether a prisoner attempted to comply with the payment order.

HOLDINGS

1. Before dismissing a prisoner's action for failure to pay a court-ordered initial partial filing fee, the district court must take reasonable steps to determine whether the prisoner attempted to comply with the order.
2. Because the plaintiff failed to pay the assessed \$10.00 initial partial filing fee, the court properly ordered him to show cause by a specified date why the action should not be dismissed without prejudice and instructed him how to address inability to pay.

KEY QUOTATIONS

"A district court "may dismiss a case under its inherent authority, which it possesses as a means of managing its own docket so as to achieve the orderly and expeditious disposition of cases.""

"Giving Plaintiff a reasonable opportunity to respond to a show-cause order satisfies this requirement."

FACTUAL BACKGROUND

Travone Williams, an inmate proceeding pro se, was granted leave to proceed in forma pauperis and ordered to pay an initial partial filing fee of \$10.00 by January 5, 2026. He did not pay the fee, although he later filed another declaration supporting in forma pauperis status and a prisoner trust-account statement. The court therefore required him to show cause and provided instructions concerning payment, lack of funds, and a possible extension.

PROCEDURAL HISTORY

The plaintiff filed a § 1983 action and received leave to proceed in forma pauperis. The court assessed an initial partial filing fee of \$10.00 and warned that nonpayment could result in dismissal. The plaintiff did not pay the fee, so the court ordered him to show cause by February 11, 2026, why the action should not be dismissed without prejudice.

DISPOSITION

other

CASES CITED

- *McNair v. Johnson*, 143 F.4th 1301, 1306-07 (11th Cir. 2025)
- *Wilson v. Sargent*, 313 F.3d 1315, 1320-21 (11th Cir. 2002) (per curiam)

OPINION

Travone Williams v. Tony D. Peterson and Sgt. Thomas

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

TRAVONE WILLIAMS,)

AIS # 182001,)

) Plaintiff,)

v.) CASE NO. 2:25-CV-813-WKW

) [WO] TONY D. PETERSON and)

SGT. THOMAS,)

) Defendants.)

ORDER

Plaintiff Travone Williams, an inmate proceeding pro se, filed this action under 42 U.S.C. § 1983. (Doc. # 1.) On December 18, 2025, the court issued an Order granting Plaintiff leave to proceed in forma pauperis and directing him to pay an initial partial filing fee of \$10.00 on or before January 5, 2026 (“December 18 Order”). (Doc. # 9.) The December 18 Order cautioned Plaintiff that his failure to pay the initial partial filing fee as directed would result in the dismissal this action. (Doc. # 9 at 5.) On January 20, 2026, Plaintiff filed a declaration in support of his motion to proceed in forma pauperis (Doc. # 10) and his prisoner trust fund account statement from July 2025 (Doc. # 11). However, Plaintiff already has been granted leave to proceed in forma pauperis, and an initial partial filing fee has been assessed. (Doc. # 9.) To date, Plaintiff has not paid the initial partial filing fee as directed. Because Plaintiff has failed to comply with the court’s December 18 Order, this case is due to be dismissed without prejudice. A district court “may dismiss a case under its inherent authority, which it possesses as a means of managing its own docket so as to achieve the orderly and expeditious disposition of cases.” *McNair v. Johnson*, 143 F.4th 1301, 1306–07 (11th Cir. 2025) (cleaned up). However, the Eleventh Circuit has instructed that before dismissing an action for a prisoner’s failure to pay a court-ordered initial partial filing fee, the district court must take reasonable steps to determine whether the prisoner attempted to comply with the order, such as by authorizing payment by prison officials. See *Wilson v. Sargent*, 313 F.3d 1315, 1320–21 (11th Cir. 2002) (per curiam). Giving Plaintiff a reasonable opportunity to respond to a show-cause order satisfies this requirement. See *id.* at 1321. Based on the foregoing, it is ORDERED that Plaintiff shall show cause, if there be any, on or before February 11, 2026, why this action should not be dismissed without prejudice for his failure to pay the \$10.00 initial partial filing fee as directed. If funds have been dispersed from Plaintiff’s account in the time since his initial partial filing fee was assessed, and the funds are no longer available to him, Plaintiff must arrange for payment of the fee upon receipt of additional funds in his account. If Plaintiff is unable to pay the

initial partial filing fee, he must inform the court and request an extension of time to pay the fee.
DONE this 21st day of January, 2026. /s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE

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